

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Georgeann Marie Pistella**  
Debtor(s)

Bankruptcy Case No.: 17-23022-CMB  
per 2/20/2020 proceeding  
Chapter: 13  
Docket No.: 83 – 78, 82  
Concil. Conf.: February 20, 2020 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 12/26/2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$966.00 as of 3/20. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Feb. 20, 2020 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4000 including any fees paid to prior counsel. The secured claim(s) of the following creditor(s) shall govern, and then following all allowed post-petition payment change notices filed of record: Bank of NY Mellon (CI #12)

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: February 21, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 6**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Georgeann Marie Pistella  
 Debtor

Case No. 17-23022-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dsaw  
 Form ID: 149

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 Total Noticed: 52

Date Rcvd: Feb 21, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 23, 2020.

db +Georgeann Marie Pistella, 101-B Lucinda Drive, Turtle Creek, PA 15145-1321  
 aty +Glenn R. Bartifay, 3134 Lillian Avenue, First Floor, First Floor,  
 Murrys ville, PA 15668, US 15668-1868  
 cr +Borough of Whitaker, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,  
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101  
 14678291 +Avon, 777 Third Ave., New York, NY 10017-1401  
 14708977 +Borough of Whitaker, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,  
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101  
 14735197 CACH, LLC its successors and assigns as assignee, of Capital One Bank (USA), N.A.,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 14716150 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
 14666432 +Celtic Bank/contfinco, 121 Continental Dr Ste 1, Newark, DE 19713-4326  
 14666433 Chartwell Pennsylvania, LP, P.O. Box 360552, Pittsburgh, PA 15251-6552  
 14666434 #Choice Care Physicians PC, 2585 Freeport Rd., Ste 105, Pittsburgh, PA 15238-1426  
 14678293 +Discover Matrix, P.O. Box 6103, Carol Stream, IL 60197-6103  
 14666437 +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868  
 14678295 +Forbes Regional Hospital, 2570 Haymaker Road, Monroeville, PA 15146-3513  
 14678296 +Jefferson Hospital, 565 Coal Valley Rd., Clairton, PA 15025-3703  
 14666439 +Johnston the Florist, 14179 Lincoln Highway, North Huntingdon, PA 15642-1061  
 14678297 +Matrix Card by Discover, 2500 Lake Cook Rd., Riverwoods, IL 60015-3851  
 14666441 +Mid America Bk/total C, 5109 S Broadband Ln, Sioux Falls, SD 57108-2208  
 14678298 +Oakmont Water Authority, 721 Allegheny Ave., Oakmont, PA 15139-1901  
 14666444 +Ocwen Loan Servicing, P.O. Box 24738, West Palm Beach, FL 33416-4738  
 14678299 Pennsylvania Housing Finance, Agency P.O. Box 642572, Pittsburgh, PA 15264  
 14678300 +Peoples Natural Gas, P.O. Box 535323, Pittsburgh, PA 15253-5323  
 14690518 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,  
 Pittsburgh, PA 15233-1828  
 14678301 +Robert Pistella, 101 B Lucinda Dr., Turtle Creek, PA 15145-1321  
 14678064 +Santander Consumer USA, Inc., P.O. Box 560284, Dallas, TX 75356-0284  
 14666445 +Santander Consumer Usa, Po Box 961245, Ft Worth, TX 76161-0244  
 14666446 Surge, P.O. Box 31292, Tampa, FL 33631-3292  
 14747585 The Bank Of New York Mellon et al, Ocwen Loan Servicing, LLC, Attn: Bankruptcy Department,  
 P.O. Box 24605, West Palm Beach, FL, 33416-4605  
 14678303 +UPMC St. Margaret Hospital, 815 Freeport Rd., Pittsburgh, PA 15215-3399

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14678290 +E-mail/Text: g20956@att.com Feb 22 2020 02:42:54 AT&T Wireless, PO Box 10330,  
 Fort Wayne, IN 46851-0330  
 14680397 E-mail/Text: ally@ebn.phinsolutions.com Feb 22 2020 02:41:44 Ally Financial,  
 PO Box 130424, Roseville MN 55113-0004  
 14666430 +E-mail/Text: ally@ebn.phinsolutions.com Feb 22 2020 02:41:44 Ally Financial,  
 200 Renaissance Ctr, Detroit, MI 48243-1300  
 14678294 E-mail/Text: kburkley@bernsteinlaw.com Feb 22 2020 02:43:00 Duquesne Light,  
 411 Seventh Avenue, P.O. Box 1930, Pittsburgh, PA 15230-1930  
 14666431 +E-mail/Text: GenesisFS@ebn.phinsolutions.com Feb 22 2020 02:43:11 Bankcard Services,  
 P.O. Box 4499, Beaverton, OR 97076-4499  
 14678292 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 22 2020 02:40:28 Capital One,  
 P.O. Box 30253, Salt Lake City, UT 84130-0253  
 14666435 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 22 2020 02:42:20 Comenitybk/victoriasec,  
 Po Box 182789, Columbus, OH 43218-2789  
 14666436 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 22 2020 02:42:20 Comenitycap/forever21,  
 Po Box 182120, Columbus, OH 43218-2120  
 14666438 +E-mail/Text: GenesisFS@ebn.phinsolutions.com Feb 22 2020 02:43:11 Genesis Bc/celtic Bank,  
 268 S State St Ste 300, Salt Lake City, UT 84111-5314  
 14923263 E-mail/Text: JCAP\_BNC\_Notices@jcap.com Feb 22 2020 02:42:46 JEFFERSON CAPITAL SYSTEMS LLC,  
 PO Box 7999, St Cloud MN 56302  
 14666440 +E-mail/Text: bncnotices@becket-lee.com Feb 22 2020 02:42:15 Kohls/capone,  
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096  
 14755715 +E-mail/Text: bknotices@totalcardinc.com Feb 22 2020 02:42:34 Mid America Bank & Trust,  
 c/o Total Card Inc., 5109 S. Broadband Lane, Sioux Falls, SD 57108-2208  
 14666442 +E-mail/Text: bankruptcydpt@mcmcg.com Feb 22 2020 02:42:33 Midland Funding,  
 2365 Northside Dr Ste 30, San Diego, CA 92108-2709  
 14666443 +E-mail/Text: bankruptcy@sccompanies.com Feb 22 2020 02:43:12 Montgomery Ward,  
 1112 7th Ave, Monroe, WI 53566-1364  
 14667187 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Feb 22 2020 02:40:32  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14747580 E-mail/Text: bnc-quantum@quantum3group.com Feb 22 2020 02:42:23  
 Quantum3 Group LLC as agent for, GPCC I LLC, PO Box 788, Kirkland, WA 98083-0788  
 14744410 E-mail/Text: bnc-quantum@quantum3group.com Feb 22 2020 02:42:23  
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788  
 14666447 +E-mail/PDF: gecsedirecoverycorp.com Feb 22 2020 02:39:33 Synch/athleta, Po Box 965024,  
 Orlando, FL 32896-5024  
 14666448 +E-mail/PDF: gecsedirecoverycorp.com Feb 22 2020 02:40:00 Synch/banana Rep, Po Box 965005,  
 Orlando, FL 32896-5005

District/off: 0315-2

User: dsaw  
Form ID: 149

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Total Noticed: 52

Date Rcvd: Feb 21, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14666449 +E-mail/PDF: gecsed@recoverycorp.com Feb 22 2020 02:39:33 Synch/care Credit,  
950 Forrer Blvd, Kettering, OH 45420-1469  
14666450 +E-mail/PDF: gecsed@recoverycorp.com Feb 22 2020 02:39:33 Synch/toysrus, Po Box 965005,  
Orlando, FL 32896-5005  
14670787 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Feb 22 2020 02:52:30 T Mobile/T-Mobile USA Inc,  
by American InfoSource LP as agent, PO Box 248848, Oklahoma City, OK 73124-8848  
14678302 +E-mail/Text: BankruptcyNotice@upmc.edu Feb 22 2020 02:42:57 UPMC Presbyterian,  
200 Lothrop St., Pittsburgh, PA 15213-2536  
14678304 E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Feb 22 2020 02:41:38  
Verizon, P.O. Box 15026, Albany, NY 12212-5026

TOTAL: 24

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Duquesne Light Company  
cr The Bank of New York Mellon et. al.  
14749544 Duquesne Light Company  
cr\* ++JEFFERSON CAPITAL SYSTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999  
(address filed with court: Jefferson Capital Systems, PO Box 7999,  
St Cloud, MN 56302-9617)  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
cr\* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,  
Pittsburgh, PA 15233-1828

TOTALS: 3, \* 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court  
immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 23, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 21, 2020 at the address(es) listed below:

Brett A. Solomon on behalf of Defendant Santander Consumer USA bsolomon@tuckerlaw.com,  
agilbert@tuckerlaw.com  
Glenn R. Bartifay on behalf of Plaintiff Georgeann Marie Pistella gbartifay@bartifaylaw.com,  
sfallat@bartifaylaw.com;gbartifay@yahoo.com/lkarageorgiou@bartifaylaw.com;jquoresimo@bartifaylaw.com  
Glenn R. Bartifay on behalf of Debtor Georgeann Marie Pistella gbartifay@bartifaylaw.com,  
sfallat@bartifaylaw.com;gbartifay@yahoo.com/lkarageorgiou@bartifaylaw.com;jquoresimo@bartifaylaw.com  
Glenn R. Bartifay on behalf of Attorney Glenn R. Bartifay gbartifay@bartifaylaw.com,  
sfallat@bartifaylaw.com;gbartifay@yahoo.com/lkarageorgiou@bartifaylaw.com;jquoresimo@bartifaylaw.com  
Jada Scott Greenhowe on behalf of Defendant Pennsylvania Housing Finance Agency  
jgreenhowe@phfa.org  
Jeffrey R. Hunt on behalf of Creditor Borough of Whitaker jhunt@grblaw.com,  
cnoroski@grblaw.com  
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,  
jbluemle@bernsteinlaw.com  
Mario J. Hanyon on behalf of Creditor The Bank of New York Mellon et. al. pawb@fedphe.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpggh.com,  
srk@sjwpggh.com;PNGbankruptcy@peoples-gas.com  
Thomas Song on behalf of Creditor The Bank of New York Mellon et. al. pawb@fedphe.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system (continued)

TOTAL: 12